

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
Civil Action No. 5:11-CV-00051

FILED
STATESVILLE, N.C.

DEC 12 2014

U.S. District Court
Western District of N.C.

INTERSTATE EQUIPMENT CO.,

Plaintiff,

vs.

ESCO CORP.,

Defendant.

JUDGMENT

On July 17, 2014 Findings of Fact & Conclusions of Law were issued in this action. Thereafter, the parties cooperated in inspecting and producing an accounting, as required in the Findings of Fact & Conclusions of Law.

The parties have submitted an agreed Final Accounting to the Court, reflecting a net repurchase price for ESCO inventory held by Interstate Equipment Company of Two Hundred Seventy-Seven Thousand, Nine Hundred Forty-Six Dollars and Ninety-Two Cents (\$277,946.92). In reaching this total, the parties have agreed to adopt the invoice price paid by Interstate Equipment Company as the "current net price of 12/1/10."

Therefore, it is the JUDGMENT of this Court that, subject to the release or extinguishment of the security interest held by Mr. Frank Eller in the ESCO inventory which is the subject of the Final Accounting, ESCO is obligated to repurchase the inventory reflected in the Final Accounting for the net price of \$277,946.92.

Judgment shall be entered accordingly.



Richard L. Voorhees
United States District Court Judge

Dated: December 12, 2014